

YOU can help some popular young woman go to Europe at the Courier-Journal's expense. See details of the plan, Page 2.

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The Courier-Journal.

SENATE FILES,
Return to Office of
Secretary of State
votes are decided by some
candidate in the Tour-
Europe Contest. Give them
to her and help her go.

NOTICE TO SUMMER WANDERERS.

Have The Courier-Journal forwarded to your address when you go away on your vacation. If you are now a paid-up subscriber, please let us know when you order the paper forwarded, and also let us know if you desire it stopped at your home address. Be careful to give post-office, hotel or street address in all cases.

The Weather.

Forecast for Saturday and Sunday: Kentucky—Showers Saturday; Sunday fair except showers in east portion. Indiana—Showers and cooler Saturday; Sunday showers, fresh southwest winds. Tennessee—Showers, Sunday fair, except showers in east portion.

THE LATEST.

Nineteen witnesses were examined at Cleveland yesterday by the Interstate Commerce Commission in the Standard Oil Inquiry. One of the most important witnesses was George L. Lane, of Mansfield, O., a former employee of the Standard Oil Company, who testified that he was employed for fourteen months in driving independent oil peddlers out of business in the cities of Northern Ohio.

At the opening session of the Presbyterian General Assembly at Des Moines yesterday, Commissioner Samuel W. W. D. D., of Utah, presented a memorial to the United States Senate praying the removal of Reed Smoot as Senator from Utah. Amid scenes of greatest excitement and demonstration and without a dissenting vote, the resolutions were adopted.

The Appellate division of the New York Supreme Court yesterday handed down a decision discharging from custody George W. Perkins, whom the Supreme Court had held to await action of the grand jury on a technical charge of grand larceny in connection with the campaign contribution of the New York Life Insurance Company.

The House yesterday voted to send the Railroad Rate Bill to conference, twenty-five Republicans voting with the Democrats in the negative. The express company amendment to the bill was the cause of personalities between Mr. Cooper (Wis.) and Mr. Hepburn (Iowa). The session throughout was turbulent.

G. W. Savage, secretary-treasurer of the Ohio Mine Workers, yesterday sent a letter to Gov. Patterson calling attention to the fact that nine owners in Eastern Ohio have surrounded their mines with armed guards and declaring that the guards are a menace to the peace of the Commonwealth.

Premier Goremykin will read before the Russian lower house to-day the reply of the Government to the Parliamentary address in response to the speech from the throne. It is surmised that there will be much popular discontent and a general strike already is threatened in Moscow.

Gov. Beckham yesterday issued a pardon to James A. Violet, an attorney of Frankfort, convicted of shooting at Wingate Thompson, a policeman, on the Capitol grounds. The pardon was asked for by the Judges of the Court of Appeals.

The Interstate Commerce Commission hearing at Philadelphia was adjourned yesterday after hearing a number of witnesses whose testimony tended to show discrimination by railroads in the distribution of cars to coal companies.

The body of an unknown man, who had committed suicide, was found near the Shelby county line in Oldham county yesterday. He had been dead for about ten days, and left a note saying his health caused him to end his life.

Robert Young, against whom many indictments charging the retailing of whisky had been returned at London, yesterday accepted a fine of \$500 and signed an agreement not to sell any more whisky for the next five years.

The Senate yesterday passed the Agricultural Appropriation Bill carrying a total of \$7,800,000 and adding to it as an amendment the bill providing for the inspection of fresh meats intended for domestic consumption.

The Sheriff and a posse are guarding the jail at Bloomfield, Ind., fearing an attempt will be made to lynch Robert Williams, a negro, now on trial on the charge of murdering Mike Collins, a section foreman.

The State Board of Equalization yesterday raised the assessment on land and personality in Jefferson county 20 per cent, and declined to allow a reduction of 3 per cent. in the city assessment.

Gus G. Coulter, formerly State Auditor, and one of the best-known men in the State, died yesterday at his home in Mayfield after an illness of only two weeks.

District Attorney Morrison, of Chicago, is in Washington in conference with officials of the Department of Justice in regard to the case of John R. Walsh.

PERKINS HAD MORAL CLAIM

Cannot Be Held On Larceny Charge.

Nothing Secretive and No False Pretenses.

Facts Do Not Establish Felonious Intent.

JEROME WILL APPEAL CASE.

New York, May 25.—The Appellate division of the Supreme Court to-day handed down a decision discharging from custody George W. Perkins, whom the Supreme Court had held to await action of the grand jury on a technical charge of grand larceny in connection with the campaign contribution of the New York Life Insurance Company to the Republican National Committee.

District Attorney Jerome, upon hearing the court's decision, discharging Mr. Perkins, said: "I shall appeal this case to the Court of Appeals and get a final decision there."

Justice McLaughlin, who wrote the prevailing opinion, said:

"If the facts set out in the depositions on which the warrant here was issued be construed in the most liberal way consistent with a judicial determination, I am of the opinion that such facts do not establish that the crime of grand larceny has been committed, as the same is defined by the penal code. The defendant has a right to give of his own funds to the chairman of the Republican National Committee. The relator made the contribution at the request of the president of the insurance company, with the express understanding that it would repay him. The money belonging to the insurance company was appropriated 'openly and avowedly' by the relator after all the facts had been stated to the Finance Committee, to reimburse him for the money which he had previously advanced."

Nothing Secretive.

"It was not stealthily taken nor was there anything secretive about it. The fact that the check was drawn payable to the order of J. P. Morgan & Co., and so entered on the insurance company's books, is of no importance, because it does not appear that the relator had anything to do with the drawing of the check or had any knowledge of the entry of the company's books. There is not a single fact stated in the depositions from which a jury would have the right to find that the relator in receiving the money in satisfaction of his claim feloniously intended to deprive the insurance company of it. On the contrary the only inference which can be fairly and legitimately drawn from such facts is that he believed he had a right to take it in satisfaction of his claim.

"The depositions are defective in that they do not show a felonious intent or any facts from which such intent can fairly be inferred."

No False Pretenses.

"The relator, in receiving the money, did not commit larceny at common law. Nor did he obtain possession of the money by false pretenses. The case is devoid of every element from which it could be claimed possession was obtained by false representation. The only remaining inquiry then is, was the money received in trust and thereafter converted to his own use? It was not received in trust; on the contrary, it was received to satisfy the relator's claim. But it is urged by people that the relator was vice president of the insurance company; was chairman of the finance committee, and as such was charged in law with the custody of the company's property, for which reason it was his duty when the same was received to turn it over to the treasurer or the proper custodian of the fund. It undoubtedly was the relator's duty to see to it, so far as he could, that the company's property was preserved and used for corporate purposes, but this did not prevent him from receiving money from the corporation in satisfaction of a just claim; nor did it make him guilty of larceny if he received money from the corporation in satisfaction of an illegal claim if he believed he had a right to receive it. It may be the duty of the defendant was an 'ultra vires' act, for which reason an action could be maintained by the corporation to reclaim or recover such money, but if this be assumed it does not show the defendant was guilty of larceny in receiving it. Inasmuch as there are no facts from which a jury would be justified in finding a felonious intent, which is absolutely necessary before one can be found guilty of larceny. To say that the defendant's intent is a question for the jury is simply begging the question."

"I am of the opinion, therefore, that the order appealed from should be reversed, the writ sustained and the relator discharged."

Justice Patterson's View.

Justice Patterson, while agreeing that Mr. Perkins cannot be found guilty of larceny, said that he may be compelled by a civil action to make restitution.

Inasmuch as the officers of the company had no power to make the contribution.

Justice Clarke in his opinion says: "The contribution of money to a political party for legitimate campaign purposes at the time of the occurrence here under consideration was neither a prohibited crime nor a crime in itself."

"The Federal Government having no control over insurance matters, the contribution to a national political party for such purposes in a national campaign by an insurance company would not only not be a prohibited crime nor a crime in itself, but would not even be wrong ethically to the extent of implying criminality without alleging and proving a corrupt or wicked motive and a felonious or evil intent. How an act believed to be for the use of the corporation, for its benefit and advantage in aiding to procure the general good of the country by the success of a national party, an act not prohibited by the common of statute law, can be made a crime without alleging and proving the necessary ingredient of crime, to-wit, criminal intent, I do not see."

Justice Ingraham says: "It was McCall who appropriated the money of the corporation and the officers or employees of the company who obeyed his direction in making that payment without intent to do more than carry out the instructions of the president of the corporation were not, as I view it, responsible for the act."

Had "a Moral Claim."

Justice Laughlin says: "It cannot be said that Mr. Perkins did not have a moral claim, even though, owing to the fact that the president doubtless exceeded his authority, he may have had no legal claim for reimbursement."

He adds that all the policyholders did not ratify this contribution or reimbursement then Mr. Perkins would be liable to the company, either in an action for money had and received or for conversion.

The proceeding against Mr. Perkins was instituted by District Attorney Jerome for the purpose of securing a ruling upon what charge if any those who made such contributions may be indicted. A charge was made against Mr. Perkins, who was formerly vice president of the New York Life Insurance Company, and his case was immediately taken before Supreme Court Justice Greenbaum. A writ of habeas corpus. Justice Greenbaum dismissed this writ and held Mr. Perkins not guilty of larceny. The case was then appealed to the Appellate division.

WILL ANNOUNCE CZAR'S POLICY

PREMIER MAKES VISIT TO TERTHOFF PALACE.

GOVERNMENT RESPONSE TO BE READ TO-DAY.

MUCH POPULAR DISCONTENT.

St. Petersburg, May 25.—Premier Goremykin at 3 o'clock to-morrow afternoon will read before the lower House of Parliament the government's response to the address in reply to the speech from the throne and announce the government's policy.

The purpose of M. Goremykin's trip to Petrof to-day, the Associated Press learns, was to read to Emperor Nicholas the final draft of the cabinet's declaration of policy, and was not connected in any wise with the rumored shift in the ministry which, however, is possible at no distant day. The Emperor, at the last moment, advised a few changes in the declaration. These changes, which were hurriedly drafted and inserted.

In delivering the declaration, Premier Goremykin, who is not especially gifted as a speaker, will adhere strictly to the formal text, printed copies of which will be distributed to the members of the House to-morrow.

The Conservative-Liberal newspaper, Strana (country), which claims to have inside information, says the declaration will take up and answer point by point the House address, the response to the demands on the all-important Agrarian question being a flat pronouncement on the inalienability of private property and a recommendation that the solution be sought in improving and intensifying methods of agriculture and the migration of the surplus population to the sparsely settled regions of Siberia and Central Asia.

On the other points, the Strana says, the recommendations will be largely negative, but there will be a positive proposal for reform in local administration, including the abolishment of the hated Zemsky Nauchalniki, whose harshness is one of the main grievances of the peasantry, and the placing of the gendarmes and rural police under the control of the judiciary instead of the administrative branch. With regard to amnesty, the Cabinet will declare for a continuation of the wholesale release as fast as possible, but will insist that a general amnesty is inessential.

The position of the Government on the amnesty and agrarian propositions will not satisfy the general cry. A dispatch to the Associated Press from Moscow says that denial of full amnesty probably will be followed by a general strike. Similar news has been received from other industrial centers. The Constitutional Democratic members of the House are causing to doubt the Government's position, which evidently is the most perplexing problem thus far encountered.

R. C. Rose For Congress.

Barbourville, Ky., May 25.—[Special.]—R. C. Rose, of Williamsburg, will go after the nomination for Congress, to succeed D. C. Edwards, a primary will probably be held. Rose represented Knox and Whitley counties in the General Assembly.

NO RIVAL WAS TOO SMALL

Standard People Even Went After Oil Peddlers.

Careful Records Kept of Independent Shipments.

Competitors Tell of Various Kinds of Trouble.

A SCIENTIFIC SPY SYSTEM.

Cleveland, O., May 25.—A total of nineteen witnesses were called by Interstate Commerce Commissioners Prouty and Clements in the Standard Oil Inquiry here to-day. Everybody connected with the investigation put in a hard day, and two sessions gave substantial results. The testimony of George L. Lane, of Mansfield, O., a former employee of the Standard Oil Company, was regarded as particularly important. According to his evidence, Lane was for about fourteen months in 1901 and 1902 employed by the Standard Oil Company for the particular purpose of driving all of the independent oil peddlers in a dozen or more of the principal cities and towns of Northern Ohio out of business. He said he was employed by C. M. Lyons, of the Cleveland office of the Standard Oil Company, to go to certain designated places and use every means, fair or foul, to force the independents to quit.

Lane said that in fighting the peddlers many methods were used. They were threatened, outbid and coerced. Offers of employment were made to them, their customers were supplied free with as much oil as they would accept, their wagons were followed by boys on bicycles to ascertain the homes of their customers, and ministers and labor leaders were bribed with oil to circulate testimonials among congregations and unions testifying as to the fine quality of the Standard's products.

Kept Tab On Rivals.

Miss Elizabeth Protzman, a stenographer and bookkeeper in the Dayton office of the Standard Oil Company, testified that information concerning shipments by rivals was brought in by draymen, and that she made careful record of them. John O'Brien, general superintendent of the Lima division of the Buckeye Line Company, a Standard's telegraph system. The inquiries established that the Standard has a telegraph system of its own extending to nearly every part of the country. The company has its own wires leased or otherwise, operators, offices, regulations and blanks and sometimes sends messages for persons not connected with the company.

Other witnesses included D. E. Eyles, secretary and treasurer of the Independent Refining Company, Oil City, Pa.; Frank J. Helmerich, Bellevue, O.; W. J. Cram, of Marietta, O.; W. E. Wall, president of the Fred L. Clark Company, Cleveland; E. M. Gibbs, Tippecanoe, O.; Charles A. Bicks, Cleveland; George L. Lewis, a lubricating oil salesman, Chicago; and C. B. Duffy, purchasing agent of the Hocking Valley railroad. The last named, when asked if he had not said recently that his road would lose from \$150,000 to \$200,000 a year in freightage if he bought lubricating oil from any other company than the Standard or Galena, replied that he might have made such a remark, but he had no positive recollection of it. He said he had no instructions from his superiors to buy oils from the Standard or Galena companies.

Fretter Resumes Testimony.

Frank B. Fretter, secretary of the National Refining Company, of Cleveland, and president of the National Petroleum Company, of Ohio, whose testimony was uncompleted yesterday, resumed the witness stand this morning when the Interstate Commerce Commission began the second day's investigation here of the Standard Oil Company.

Mr. Fretter testified that for over three years his companies had trouble in making shipments from Memphis, Tenn., to points in Arkansas. There were many delays, he said, customers being compelled to wait all the way from thirty, sixty and ninety days. In investigating the cause of the delay, the witness said, he found that the agents of the roads were also agents of the Waters-Pierce Oil Company, of Missouri, a Standard adjunct. These agents, he said, deliberately sidetracked shipments in order to destroy his trade. His companies, he declared, lost many customers because of the trouble in receiving orders. Every possible method was used to keep the company's product on the road as long as possible, and the customers despairing of getting prompt service began buying of the Standard Oil Company.

He Couldn't Sell.

When Attorney Kline, for the Standard Company, began questioning Mr. Fretter concerning the lubricating oil contract which he attempted to get from the Rock Island system ten years ago, and about which he testified yesterday, Mr. Fretter said that he offered his oil at a figure low enough to enable the railroad to save a large amount of money, but that notwithstanding he was turned down in favor of the Standard Oil Company. At the present time, he said, the price of his

lubricating oil was much lower than that of the Standard Company, but nevertheless it was impossible to sell to any railroad company. In the matter of black or low grade lubricating oil, which the Standard Company obtained twelve cents per gallon, his company would be glad to sell at five and six cents in bulk.

Mr. Kline's gross questioning of the witness was vigorous and searching and it brought out the fact that several small oil selling concerns were operating under the wing of the National Refining Company. Mr. Kline tried to establish this as a situation not consistent with the attitude of the witness. Mr. Fretter, however, declared that his company always went after business in a legitimate manner.

Asked by Mr. Kline if he considered his attitude in the Rock Island deal legitimate, Mr. Fretter said certainly, that the Standard Oil Company in this case had such a wide margin of profit that the National Refining Company could sell the same article at a much lower price and still make a handsome profit.

His Refinery Failed.

William Egginger, a dry goods merchant of Marietta, O., testified that for several years previous to 1895 he was interested in what was known as the Webster Refinery in the Marietta field. The refinery went into the hands of a receiver ultimately, he said, because of the methods of the Standard Oil Company.

The plan pursued by the Standard, he declared, to ruin the Webster refinery was the starting of a supposed independent company whose agents went among the Western customers and offered them better rates on goods handled by the Webster company. Mr. Westgate said that he now had positive evidence of underbidding which he lacked when he testified yesterday. He then produced several bills of lading of shipments made in 1901 by the Vacuum Oil Company from Olean, N. Y., to Mr. Mason, in Rochester, N. Y., and said that the figure which he had had in mind was that the shipments were underbilled.

There was much technical discussion concerning the documents, and the commissioners indicated that they were not clear on the subject, and they took possession of the papers for the purpose of figuring them out. George E. Merchant, of Rochester, N. Y., at one time general manager of the Buffalo, Rochester and Pittsburgh Railroad, testified that for six or seven years he had the purchasing of the lubricating oil for the road. He said that a short time ago, when Senator Emery, of the Pure Oil Company, of Bradford, Pa., had for lubricating the rolling stock of the road, was taken away from him and given to the Vacuum Oil Company because of a lower price. He said he knew of no rebates made by the railroad company.

One of the Standard's agents, Senator Emery, of the Pure Oil Company, of Bradford, Pa., had for lubricating the rolling stock of the road, was taken away from him and given to the Vacuum Oil Company because of a lower price. He said he knew of no rebates made by the railroad company. One of the Standard's agents, Senator Emery, of the Pure Oil Company, of Bradford, Pa., had for lubricating the rolling stock of the road, was taken away from him and given to the Vacuum Oil Company because of a lower price. He said he knew of no rebates made by the railroad company.

All Kinds of Trouble.

Frank J. Helmerich, for twelve years an independent oil dealer of Bellevue, Ohio, testified as to all kinds of trouble which he said, the Lake Shore and Erie Railroad companies had caused for him after he had begun to do a good business. He said he was discriminated against in rates, shipments were delayed and he was given the same facilities to handle his goods as was enjoyed by the Standard. The Standard Oil Company, he said, was behind all the trouble, and he lost much business because of it.

One of the witnesses who was engaged in the oil business at Marietta, Ohio, from 1885 to 1897, testified that the Standard for years used coercive methods and was so persistent that it finally won. The company was compelled to sell out to the Galena Oil Company, a Standard affiliate. The witness said that the Standard's agents continually circulated reports that the independent oil refining company was in reality controlled by the Standard. The railroads, he declared, had been increasing the rates on the Standard's oil, and the early eighties, and had been continually cutting out the through rate to nearly all points, and substituting an arbitrary rate which was almost prohibitive. These rates, which were levied principally by the Lake Shore and Pennsylvania railroads, had practically driven his company out of the New England field. In trying to reach Southern territory far as the Standard's oil was concerned, the witness said, he was met with all kinds of difficulties, the witness said, being continually thrown in their way by the railroads, which compelled his company to build tank cars on specifications much more expensive than those required for their own cars.

SENSATIONAL CHARGES

Made By Witnesses In Railroad Hearing In Philadelphia.

Philadelphia, May 25.—Several interesting developments marked the closing session of the Interstate Commerce Commission's investigation into the alleged discrimination by railroads in the distribution of cars in the bituminous coal field. The Commission adjourned to-day.

Next week the members of the Commission will go to Washington to examine the evidence presented here and it is likely that the investigation will be resumed in the Capital the latter part of next week.

Sensational testimony was given to-day by F. Albert Von Boyneburg, general manager of the Reakert Bros. Company, coal operators. He stated that within the last two and a half years his company's car supply had been so inadequate that the business had been practically ruined. He declared that other companies had been favored in the distribution of cars and said he had no doubt that discrimination had been practiced against his company because it had failed to make gifts of stock to the railroad officials. He gave it as his opinion that Presi-

INDICT EIGHTY MEN AS TRUST

Federal Grand Jury Returns True Bills

Against Many Fertilizer Manufacturers.

Charge Conspiracy To Engage In Combination.

PRISON TERM PUNISHMENT.

Nashville, Tenn., May 25.—The grand jury of the United States Circuit Court, which has been investigating the alleged fertilizer trust for the past four weeks, has concluded its investigation and returned in open court this morning an indictment against eighty fertilizer manufacturers, including a number of local men.

The indictment contains six counts detailing in specific form alleged violations of the anti-trust laws, and charging the defendants with combining and being engaged in a trust or combination.

The defendants live in various parts of the country where fertilizers are manufactured and certified copies of the indictment will be sent to the various districts in which the defendants reside and there served. The defendants will be required to execute bonds for their appearance at the October term of the court in this city, when the cases are to be tried.

The six counts in the indictment are in a double series of three each. The first charges the defendant with engaging in a conspiracy; the second count charges the defendants with conspiring, and the third with conspiring under Section 5440, revised statutes, to commit the offense of engaging in a combination as defined by the Sherman law.

Prison Term and Fine.

The punishment under Section 5440 is two years in prison and \$10,000 fine. The third count is new in form and procedure. It charges the committing of an offense against the United States of engaging in a combination in restraint of trade as defined and prohibited by the Sherman act.

The style of the case on the back of the indictment is United States vs. Virginia-South Carolina Chemical Company, et al., and the indictment is described as "indictment for violating act of Congress approved July 2, 1890, and entitled 'an act to protect trade and commerce against unlawful restraints and monopolies,' and Section 5440, revised statutes, United States."

Individuals Indicted.

Following is a list of the individuals indicted as offenders, agents or attorneys of the accused corporations and firms:

Samuel T. Morgan, president; Fortesque Whittle, vice president; Frank P. Daney and Frank C. Wilcox, managers and agent of Virginia-Carolina Chemical Company; J. Rice Smith, agent of Virginia-Carolina Chemical Company.

Mr. J. Cassatt was responsible for the alleged discrimination. Through railroad employees it was developed that until recently the Berwind-White Company's coal was shipped to tidewater without being weighed. Instead, the railroad estimated the weight of each car by adding 10 per cent to the capacity figures stenciled on the car. It was also shown that the Susquehanna Coal Company, which is owned by the Pennsylvania Railroad Company, has the exclusive use of Greenville pier, New York Harbor, and has a virtual monopoly of the sale of bunker coal to tugs and small steamers.

It was brought out that certain coal companies are given allowances for operating spurs from their mines to the main lines, and that the railroad made this allowance to the Latrobe Connelville Company when the spur was operated by the railroad.

CASSATT COMING HOME.

Belief That Revelations At Investigation Are Responsible.

Philadelphia, May 25.—Announcement was made at the Pennsylvania railroad office in this city to-day that President Cassatt sailed for home from Chebourg, France, this morning.

Mr. Cassatt went abroad for a holiday trip on May 9. It is believed that the revelations made before the Interstate Commerce Commission are responsible for Mr. Cassatt's sudden change of plans. He is expected to reach this country Saturday, June 2. The special committee appointed by the board of directors of the Pennsylvania Railroad Company to investigate the acquisition of stocks of coal companies and alleged irregularities of its employees as revealed in the hearings of the Interstate Commerce Commission, held a meeting to-day. The investigators made this statement:

"The committee will perform its duty of investigation and report as speedily as can be consistently with the making of a thorough examination of the administration of the company and with the accomplishment of a just and wise result."

C. Stewart Patterson, chairman of the committee, said that its sessions will be secret.

Company and president of Georgia Chemical Works; Austin B. Carpenter and Charles H. McDowell, manager and agent, and Charles G. Wilson, agent and attorney of Arkansas; C. Fred G. Brown, president and treasurer of Anderson Phosphate and Oil Company; Frank Burbridge, president, and William J. McCormack, treasurer, of Sherman Fertilizer Company; George Braden, president of Federal Chemical Company, of Delaware and Kentucky; Augustus D. Adair and James D. McArly, officers and agents of Furman Farm Improvement Company, and members of firm of A. D. Adair and McCarthy Bros.; William D. C. Kessler, secretary and treasurer of Goulding Fertilizer Company; James G. Thinsley, president of the Marietta Fertilizer Company, and vice president of Tennessee Chemical Company; William D. Rea, general manager of Nashville Fertilizer Company; William L. Peel, president of the Old Dominion Guano Company, of Delaware and Kentucky; Isaac Mayor Read, agent of Read Phosphate Company; Frank E. Royster, president, and Charles F. Burroughs, vice president, of F. S. Royster Guano Company; A. J. Ives, secretary and treasurer of Savannah Guano Company, and a member of the firm of Wilcox, Ives & Co.; T. Porter Fleming, vice president of Southern States Phosphate and Fertilizer Company, and Garland Thinsley, president and treasurer of Tennessee Chemical Company.

Many Firms Also Named.

The following firms and corporations were included in the indictment: Virginia-Carolina Chemical Company of New Jersey; Amour & Co., of Illinois; Acme Manufacturing Company, of North Carolina; Alabama Chemical Company, of New Jersey; Anderson Phosphate and Oil Company, of South Carolina; Blackbear Manufacturing Company, of Georgia; Edvan Fertilizer Company, of South Carolina; Federal Chemical Company, of Delaware; Federal Chemical Company, of Kentucky; Furman Farm Improvement Company, of Kentucky; Goulding Fertilizer Company, Ltd. of Great Britain and Ireland; Goulding Fertilizer Company, of Florida; Gulfport Oil Fertilizer and Manufacturing Company, of Georgia; Hume Mixture Guano Company, of Georgia; Jackson Fertilizer Company, of Mississippi; Marietta Fertilizer Company, of Georgia; Meridian Fertilizer Company, of Mississippi; National Fertilizer Company, of Tennessee; New Orleans and Fertilizer Company, of New Jersey; Old Dominion Guano Company, of Virginia; Planters' Fertilizer Company, of Alabama; Read Phosphate Company, of West Virginia; F. S. Royster Guano Company, of Virginia; Savannah Guano Company, of Georgia; Southern States Phosphate and Fertilizer Company, of Georgia; Standard Chemical and Oil Company, of Tennessee; Standard Guano and Chemical Manufacturing Company, of Louisiana; Swift & Co., of Illinois; Tennessee Chemical Company, of Tennessee; Tennessee Valley Fertilizer Company, of Alabama, and firms of A. D. Adair and McCarthy Bros., and Wilcox, Ives & Co., formerly carried on business in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas and Tennessee.

FUTURE QUEEN GETS OVATION

ALL MADRID TURNS OUT TO WELCOME ENA.

PUBLIC ADMITTED TO GROUNDS OF PALACE.

SALUTED BY THE PRINCESS.

Madrid, May 25.—The arrival of the future Queen of Spain at the Pardo Palace this evening was the signal for a magnificent ovation to the new sovereign. At 6:30 o'clock the royal train reached the outskirts of the palace park. Here a special station had been prepared, consisting of a majestic floral arch, beneath which was suspended a huge crown of red roses and yellow jonquils. On either side was a mast bearing British and Spanish banners. Beyond arose a motley arch, which had been erected by the people of Madrid. It was indicative of the sincerity of the popular feeling.

It was dusk as King Alfonso and Princess Ena entered the Pardo station. Awaiting them were the Queen Mother, the Infantas Isabella, Eulalia and Maria Theresa, Prince Ferdinand, the members of the Government and the officials of Madrid. The Queen Mother embraced her son and his prospective bride. The party then passed between lines of halberdiers and, entering carriages, took up its route to the palace. Princess Ena, with her mother, Princess Henry of Battenberg, and the Queen Mother, occupied the first coaches, while King Alfonso, mounting his horse, galloped alongside, accompanied by Princes Ferdinand and Carlos. Next came the royal household Guard in white gait uniforms. Ladies of the Madrid nobility occupied boxes along the route and strewed the path of the royal party with flowers.

Enormous crowds had assembled outside the palace gates, the Government giving the freest rein to popular curiosity. The royal party was greeted with tumultuous cheering, and cries of "Long live the Queen," "Long live the King," and "Long live Spain." After entering the palace King Alfonso directed that the party be admitted to the grounds. The crowd surged up the avenue, forming a dense throng immediately in front of the portico. Then the King appeared upon the balcony, holding Princess Ena by the hand. The crowd stood with bared heads, too greatly impressed to cheer, but a deep wave of emotion swept over the throng. Princess Ena, with a radiant smile, gave a characteristic English wave of her hand. King Alfonso and the Princess appeared on the balcony three times and saluted the people. This patriotic beginning has produced a markedly favorable impression on the public, and all Madrid responds to-night with praise for Princess Ena.

Later in the evening King Alfonso returned to the royal palace, the Princess remaining with her mother in the Pardo Palace until the wedding.

Ice Men Must Stand Trial.

Cleveland, O., May 25.—Judge Beeson, of the Common Pleas Court, to-day overruled the motions to quash the indictments recently returned by the grand jury against the members of the so-called ice trust. As a result of this action the ice men must stand trial on the charge of violating the Valentine anti-trust law.

DEATH COMES TO GUS COULTER

Passes Away At His Home In Mayfield.

Ill Two Weeks of Inflammatory Rheumatism.

Former State Auditor and Well-Known Man.

ALWAYS ACTIVE IN POLITICS.

Mayfield, Ky., May 25.—The Hon. Gus G. Coulter, former Auditor of the State of Kentucky, died this morning at 6:20 o'clock, at his home in this city, after two weeks' illness of inflammatory rheumatism and brain trouble. The funeral will take place Saturday morning at 10 o'clock and his body will be buried at the city cemetery in Mayfield.

The following have been selected as the pallbearers: J. L. Sherrill, J. L. Stunston, W. E. Norman, E. G. Fristoe, E. J. Webb and J. N. Beades. The honorary pallbearers are as follows: Joe C. Vannatter, Louisville; J. Swigert Taylor, Frankfort; Capt. R. T. Albright, J. E. Robbins, W. A. Usher and Gus Thomas.

Mr. Coulter was well known all over the State as a politician, a good business man and an able and capable official.

Born In Marshall County.

Gus Given Coulter was born at Brandenburg, Marshall county, Kentucky, August 15, 1861. He was a son of the late Claude C. Coulter, whose wife was Miss Bell Archer, who was born and reared in Graves county, but having married in Marshall county, he resided there for a few years after his marriage, during which time he was born this son.

His father was a very intellectual man, possessed a fine English education and was noted as a scholar and an orator. He was a lawyer and farmer, and part of his life a public official.

UNKNOWN SUICIDE

Body of Man Found In Thick Grove.

NOTE SAYS ILL HEALTH MADE LIFE FUTILE.

ONLY CLEW CARD BEARING NAME DAVID D. TITUS.

MONEY AND WATCH IN POCKET

Lagrange, Ky., May 25.—[Special.]—The body of an unknown white man was found in the center of a dense thicket of trees, about six miles from here this morning. It was lying near a log on which was a grip containing a change of underclothing and a razor. Nearby was found an empty two-ounce bottle, which had contained laudanum, and the following note, evidently written by the dead man, showed that he had committed suicide:

To who finds my body: You will find in my pocket some money and a watch. I leave them to you. I have no one to claim for them. My health has made me tired of life.

The body was found by Al Purvis, who was hunting ginseng. It was in a thick grove, about one mile from the Shelby county line. The body was almost unrecognizable, and it is believed that it had been in the place for at least ten days. The body was hurriedly buried and an inquest returned a verdict of suicide by poison.

The only clue to the man's identity was a card found in his pocket, on which was the name David D. Titus. No address was given. In the pockets of his clothing were found a cheap watch and \$7.75 in cash. Five dollars was in one bill and the remainder was in silver. The body was clad in two coats, one a blue serge and the other a cheviot. It appeared to be of a man about fifty-five years old. The grip was almost new, but not in use or on it indicated to whom it belonged.

POLICEMEN ON TRIAL

Charged With Murder of Walter Stotts At Harrodsburg.

Harrodsburg, Ky., May 25.—[Special.]—The second trial of Luther Herron and William Britton on a charge of murder, growing out of the bloody street duel of last August, was hurried through in the Circuit Court today. The jury was brought from Anderson county and reached here late in the afternoon as follows: Alvin May, J. W. Bachelor, Joseph Waterfall, Meritt Young, Oscar Walker, William F. W. T. Young, Charles A. D. N. Mullins, Claude Elliott, R. Calvert and D. L. Meriwether.

All the evidence was offered today, and to-morrow morning argument will be made by Commonwealth's Attorney C. F. Hardin and Col. T. H. Smith for the prosecution, and Col. Ben. Lee Hardin and Robert Harding for the defendants. The charge against Britton and Herron is murdering Walter Stotts, in a saloon. The accused were members of the police force at the time of the killing, and they attempted to arrest Stotts, who resisted and was joined by Samuel C. Black, then representative from Mercer county in the Legislature. The jury was brought from Anderson county and occupied four days, with feeling running very high. They were acquitted of the charge of murder, but the men would never be put on trial for killing Stotts, but the friends of the dead man have pushed the case to the trial. The representatives of the Commonwealth feel that they have not made out as strong a case as they did in the first trial, and it is known that they have little hope of a verdict of guilty.

\$125 IN VEST POCKET

Found By Two Boys and Confiscated As Lost.

Burlington, Ky., May 25.—[Special.]—Robert Cowell and Theodore Cowell, aged nineteen and seventeen years respectively, and claiming Cincinnati, O., as their home, were arrested and lodged in jail here on a charge of larceny. Upon investigation of the charge, the evidence showed the young men were drifting down the river in a small boat, and when nearly opposite Rising Sun, Ind., and almost in midstream, they sighted a rowboat floating quietly toward the Kentucky shore, some distance ahead of them. In the boat was a vest, which they examined and found to contain \$125 pinned securely in an inside pocket. The boys took the money, divided it between them, pulled over to the Kentucky shore, anchored their boat and returned to the town of Rising Sun, Ind., and when they returned to the boat, they found the money gone. They were arrested and taken to jail.

AGREES NOT TO SELL

Liquor In Laurel County For Next Five Years.

London, Ky., May 25.—[Special.]—Robert Young, who operates a registered distillery at McWhorter, this county, and who was indicted in two cases at the last term of the Laurel Circuit Court for retailing liquor without license, pleaded guilty today and by agreement took a fine of \$500, which he paid. He was required to execute bond not to sell any liquor in this county for the next five years.

Drops Dead In Field.

Smith's Grove, Ky., May 25.—[Special.]—C. Reynolds, a well-known farmer of near Ralston, Harrodsburg county, died while at work in a field near home. He was apparently in good health when he left the house to go to work, and while hitching his team to a harrow he threw up his hands and fell to the ground dead. His small son witnessed his death and gave the alarm. He was fifty years old, and had been married for some time. He leaves a wife and several small children.

Announces For Legislature.

Princeton, Ky., May 25.—[Special.]—J. R. Catlett, who has served three terms as an officer of the State Senate, will make the race for the Democratic nomination for Representative from this county. He has not made his formal announcement, but it is expected within a few days. Mr. Catlett made an able officer and is one of the best known men in Caldwell county. He has been a member of the General Assembly.

Kentucky Universalists Meet.

Hopkinsville, Ky., May 25.—[Special.]—The Kentucky Universalist convention met here today, and will continue in session three days. J. W. Long is president and Miss Ollie Davis secretary. Addresses were made today by Judge Peck Candler, Dr. J. W. Long, C. W. Smith, and others. The convention will adjourn tomorrow.

Throws Lamp At Jail.

Campton, Ky., May 25.—[Special.]—Scott McQuinn, who has been confined in the jail at this place for about a year on the charge of killing Frank Smith and his two boys, and who has been a member of the Kentucky State Penitentiary, yesterday assaulted jailer Haley when he went to take him his dinner, by throwing a glass lamp. The jailer saved himself by jumping behind an iron door.

Drouth Felt At Milton.

Milton, Ky., May 25.—[Special.]—The drouth over this section is becoming somewhat serious. Wheat, oats and meadows are suffering, and early corn and other vegetation is burning up what is left by the cut worm. Tobacco plants are getting too large where they have been watered. No tobacco to speak of has yet been planted.

Arson Case Ready.

London, Ky., May 25.—[Special.]—The case against Tilden House, charged with arson, transferred here from Jackson county, was called today in the Circuit Court. Both sides announced ready, and the case will go to trial to-morrow. House is also indicted for swearing falsely in a former trial in this case and for assault on his father.

Sues For \$10,000.

Owensboro, Ky., May 25.—[Special.]—Mrs. Mary Crabtree today filed a suit for \$10,000 damages against the Owensboro City Railroad Company. She alleges that the accident was caused by faulty construction of the cars. H. D. Bollew and James Dunn also filed suit against the Owensboro City Railroad Company today for \$2,000 damages for the killing of Jessie F., a race mare. The horse was killed by a live wire.

Want Justice Removed.

Owensboro, Ky., May 25.—[Special.]—A suit was filed in the Circuit Court today by R. G. Hill and others asking that the teachers of the public schools of this city be removed from office on the charge of false swearing and was held to answer at the next term of the Circuit Court in the sum of \$250.

Held On Perjury Charge.

Campton, Ky., May 25.—[Special.]—William Wallace, a prominent young man of this city, this evening had his name taken before the Police Judge on the charge of false swearing and was held to answer at the next term of the Circuit Court in the sum of \$250.

Entertains Class.

Newcastle, Ky., May 25.—[Special.]—Prof. W. B. Maple is entertaining his class and the teachers of the public schools of this city at the Village Inn to-night. In addition to an excellent menu there were many pleasing talks on current topics and educational matters.

Warrant Charges Assault.

Owensboro, Ky., May 25.—[Special.]—Cornelia Williams was arrested at her home near this city this morning on a warrant sworn out by Ben Igo, charging assault on the latter's wife Igo and Williams are neighbors and well-known people.

Growing Wheat Burned.

Danville, Ky., May 25.—[Special.]—It is so dry here that George Burke had eighteen acres of growing wheat to burn up this morning. The wheat was set on fire by the sparks from an engine on the Q. and C. railroad.

Negro Woman Dies At 108.

Danville, Ky., May 25.—[Special.]—Jane Hocker, a colored woman, one of the oldest persons in this section, died at noon today. She was 108 years old, having been born in Culpeper county, Virginia, in 1788.

Henderson Home Burned.

Middlesboro, Ky., May 25.—[Special.]—The handsome residence of R. L. Hamilton on Park Hill, near this city, was this morning consumed by fire. The damage was \$8,000, covered by insurance.

FEAR VIOLENCE.

Negro On Trial For Killing SECTION BOSS.

Special Grand Jury Returns Indictment—Plea of Guilty Refused.

Bloomfield, Ind., May 25.—[Special.]—Robert Williams, colored, twenty-six years old, was placed on trial here today on the charge of killing Mike Collins, a white man, who was shot while working on the construction camp of the Indianapolis Southern railroad, and Williams a male driver. Collins is said to have slapped Williams and discharged him. Williams packed his belongings to leave the camp, but followed Collins and, slipping up behind him, snatched Collins' revolver from his pocket and shot him twice, from which wounds he died in three hours. Williams was captured at Spencer, sixteen miles from here, and was taken to Washington for safe keeping. A special grand jury was convened and indicted him and the case brought to trial today. The case was referred to the grand jury for a term extending beyond December 31. Subscriptions may be renewed or paid in advance before the date if desired, but ballots will only be issued for the time up to December 31, 1907. In sending renewals or extensions, be careful to learn the time of present expiration, and figure the number of votes you are entitled to from expiration date to December 31, 1907, on the basis given below:

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DISTRICT NO. 1.
All territory east of Shelby street, from the river on the north to the city limits on the south—Louisville.
Miss Elsie F. Muir, 112 Waverley avenue..... 158,705
Miss Bertha Stuessy, 1536 Halde-man avenue..... 39,847

DISTRICT NO. 2.
All territory from the west side of Fifth street to the east side of Fifth street, from the river on the north to the city limits on the south—Louisville.
Miss Myrtle Jenkins, 330 East St. Catherine street..... 188,063
Miss Theo. Pulliam, 2005 Preston street..... 1,043

DISTRICT NO. 3.
All territory from the west side of Fifth street to the east side of Fifth street, from the river on the north to the city limits on the south—Louisville.
Miss Nora Kirsh, 1231 Second street (with Louisville Trust Co.) 157,818
Mrs. Robert Hunter, 1216 First street..... 782

DISTRICT NO. 4.
All territory from the west side of Fifth street to the east side of Fifth street, from the river on the north to the city limits on the south—Louisville.
Miss Beulah Hunter, 1408 Sixth street..... 31,425
Miss Grace Pollock, 1862 Sixth street..... 3,928
Miss Anna Shober, 625 West Broadway..... 1,362

DISTRICT NO. 5.
All territory from the west side of Fifth street to the east side of Fifth street, from the river on the north to the city limits on the south—Louisville.
Miss Anabel Adams, 1214 West Jefferson street..... 37,437
Miss Maggie Kaufman, 716 Eighth street..... 389

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All territory from the west side of Fifth street to the east side of Fifth street, from the river on the north to the city limits on the south—Louisville.
Miss Alice M. Kohler, 2300 Magazine street (with Nat. Casket Co.) 202,942
Miss Molly E. Schmitt, 2300 Magazine street (with J. C. Lewis Co.) 175,527
Miss Mattie Bradshaw, 2605 High street..... 17,289
Miss Virginia M. Cleveland, 222 Twenty-fourth street..... 5,079
Miss Florence Carothers, 2407 G. street..... 1,214
Miss Lula Halbach, 2223 West Market street..... 295

All of Jefferson county outside the city limits of Louisville, Jefferson county, Ky.
Miss Sallie Ewing, St. Matthews, Ky..... 149,100
Miss Bertha Schack, Bardonia, Ky..... 14,381
Miss Lillian B. Dyer, Bardonia, Ky..... 46,641
Miss Anna Meyer, Bardonia, Ky..... 15,547
Miss Anna Marquis, Bardonia, Ky..... 461
Miss Annie Schwaninger, Bardonia, Ky..... 153,204
Miss Lillian B. Dyer, Bardonia, Ky..... 91,249
Miss Sam Craig, Bardonia, Ky..... 80,912
Miss Holland Orestis, Bardonia, Ky..... 14,697

DISTRICT NO. 9.
New Albany and Floyd county, Ind.
Miss Mary Mousty, New Albany, Ind..... 119,359
Miss Katie Borgegier, 719 East Market street, New Albany, Ind..... 38,676
Miss Anna Schmitt, 202 McAlaine avenue, New Albany, Ind..... 4,054

DISTRICT NO. 10.
Eleven counties: Caldwell, Callaway, Crittendon, Harrison, Lincoln, Madison, Marion, Marshall, Montgomery, Union and Webster.
Miss Celeste Kossie, Madison county, Ky..... 71,655
Miss Mattie Reeves, Mayfield, Graves county, Ky..... 31,101
Miss Fannie Walker, Mayfield, Graves county, Ky..... 30,536
Miss Eleanor Wright, Mayfield, Graves county, Ky..... 29,781
Miss Blanche Robertson, Edgelyville, Lyon county, Ky..... 15,742
Miss Leona Coffman, Slaughterville, Wayne county, Ky..... 14,402
Miss Ora E. Landrum, Smithland, Livingston county, Ky..... 12,782

DISTRICT NO. 11.
Four counties: Butler, Christian, Fulton and Taylor.
Miss Maud Miller, Elkton, Todd county, Ky..... 206,028
Miss Mattie Fairbank, Elkton, Todd county, Ky..... 75,249
Mrs. W. A. Radford, Pembroke, Christian county, Ky..... 41,995
Miss Katherine M. Moore, Elkton, Todd county, Ky..... 18,824
Miss Thelma Ward, Morgantown, Boone county, Ky..... 10,310
Miss Mattie Sue Browning, Hopkinsville, Christian county, Ky..... 7,160

DISTRICT NO. 12.
Six counties: Breckinridge, Hancock, Muhlenberg, McClellan and Ohio.
Miss Mattie L. Christian, Russellville, Hancock county, Ky..... 83,958
Miss Beulah C. Livermore, McLean county, Ky..... 70,768
Miss Mary Bennett, Russellville, Hancock county, Ky..... 29,505
Miss Mary Helm, Auburn, Logan county, Ky..... 24,000
Miss Katherine Nunn, South Warren, Muhlenberg county, Ky..... 18,893
Miss Vivian De Poyter, Sumner, Muhlenberg county, Ky..... 7,609
Miss Annie May Yonts, Greenville, Muhlenberg county, Ky..... 6,174
Miss Annie Grundy, Greenville, Muhlenberg county, Ky..... 6,174

DISTRICT NO. 13.
Five counties: Bullitt, Edmonson, Grayson, Harlan and Madison.
Miss Frances Smith, Elizabethtown, Harlan county, Ky..... 177,016
Miss Ora E. Hazell, Brownsville, Edmonson county, Ky..... 129,388
Miss Willamina Smith, Elizabethtown, Harlan county, Ky..... 7,752
Miss Nora Estelle Owens, Wolf Creek, Meade county, Ky..... 352

DISTRICT NO. 14.
Eight counties: Allen, Barran, Green, Hart, Letcher, Taylor, Simpson and Warren.
Miss Anna Ford, Smith's Grove, Warren county, Ky..... 157,254
Mrs. E. N. Caldwell, Glasgow, Barran county, Ky..... 105,149
Miss Maud Harned, Tontieville, La-rue county, Ky..... 22,937

DISTRICT NO. 15.
Ten counties: Carroll, Gallatin, Henry, Marion, Nelson, Oldham, Owen, Shelby, Spencer and Trimble.
Miss Elsie Kelly, Lebanon, Marion county, Ky..... 85,596
Miss Eunice Settle, Owen, Owen county, Ky..... 38,502
Miss Lulu Lovelace, Lebanon, Marion county, Ky..... 27,843
Miss Jennie Nash, Shelbyville, Shelby county, Ky..... 24,182

DISTRICT NO. 16.
Eight counties: Anderson, Boyle, Boyd, Breckinridge, Clark, Fayette, Jessamine, Nicholas and Madison.
Miss Eva Bailey, Harrodsburg, Mercer county, Ky..... 166,516
Miss Lillian Anderson, Danville, Boyle county, Ky..... 161,380
Miss Mattie Hughes, Midway, Woodford county, Ky..... 156,492
Miss Mary E. Lear, Paint Lick, Garrard county, Ky..... 137,923

DISTRICT NO. 17.
Six counties: Bourbon, Clark, Fayette, Jessamine, Nicholas and Madison.
Miss Milda McMillan, Paris, Bourbon county, Ky..... 70,243
Miss Stella M. Donaldson, Winchester, Clark county, Ky..... 53,997
Miss G. A. Kesh, North Middletown, Bourbon county, Ky..... 43,416

DISTRICT NO. 18.
Ten counties: Bath, Breckinridge, Fleming, Grant, Harrison, Mason, Montgomery, Powell and Rowan.
Miss Mary Guggell, Owensboro, Bath county, Ky..... 62,422
Miss Esther Wilson, Mt. Sterling, Montgomery county, Ky..... 59,200
Miss Florence Knight, Barbourville, Bath county, Ky..... 28,021
Miss Mary A. Ammerman, Cynthiana, Bath county, Ky..... 12,844
Miss Dixie Hummel, Williams-town, Grant county, Ky..... 4,342

DISTRICT NO. 19.
Six counties: Anderson, Boyle, Boyd, Breckinridge, Clark, Fayette, Jessamine, Nicholas and Madison.
Miss Virginia Kennedy, Owensboro, Daviess county, Ky..... 103,400
Miss Corneilia Arnold, Owensboro, Daviess county, Ky..... 75,426
Miss Agnes J. Hart, Henderson, Henderson county, Ky..... 33,226
Miss Beulah Gilmer, Henderson, Henderson county, Ky..... 14,619
Miss Mary D. Hoppard, 119 Adams street, Henderson, Henderson county, Ky..... 5,993

The greater part of the time spent on the Agricultural Bill was devoted to a discussion of the provision for Government inspection of grain. Senator McCumber made an effort to have the measure so amended as to require the government to certify of inspection, but failed. A number of minor bills were passed and the session of the Senate adjourned on Monday.

Funeral of J. H. Beauchamp. The funeral of J. H. Beauchamp, an old and popular member of the Lexington bar, was held at his family residence on the Versailles pike at 4:30 this afternoon. The Rev. Ed-win Muller, of the First Presbyterian church, officiated, and the burial was in the Lexington cemetery.

No. 146. Not Good After June 2, 1906.

Tour to Europe Ballot.

This Ballot Will Count One (1) Vote

For.....

Dist. No..... Address.....

County..... State.....

When fully filled out and received at Courier-Journal office, by mail or otherwise, on or before expiration date shown above. Not good after that date. Void if name voted for has not been properly nominated. No ballot will be altered in any way, or transferred, after received by the Courier-Journal.

UNLESS THIS BALLOT IS TRIMMED CAREFULLY AROUND THE BLACK LINES, IT WILL NOT BE COUNTED.

BATTLE OF BALLOTS

THE PROPOSITION.

The Courier-Journal proposes to send to Europe a tour of pleasure, and figure the number of votes you are entitled to from expiration date to December 31, 1907, on the basis given below:

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